GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

PREVENTIVE DETENTION - The Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No: 1 of 1986) – Order of Detention made by the Collector and District Magistrate, Ananthapuramu District, againt Sri Penakalapati Subramanyam @ Mani @ Penakalapati Subramanyam, Aged 26 years, S/o Penakalapati Suryanarayana (Late), C/o Mupparapa Gangamma, R/o D.No.1-143, P.Siddarampuram Village, Atmakur Mandal, Ananthapuramu District, Andhra Pradesh State - Representation of Kum. P. Sukanya, S/o Sri Penakalapati Subramanyam – Examined –Orders – Issued.

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GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.Rt.No.699 **Dated:14 .04.2023**

Read the following:-

1. From the Collector and District Magistrate, Ananthapuramu District, Proceedings No. MC1/3700/2022, Dt:13.11.2022.
2. G.O.Rt.No.2524, G.A.(SC.I) Dept., dated 23.11.2022.
3. G.O.Rt.No.65, GA(SC.I) Dept., Dated: 09.01.2023.
4. Representation of Kum. P. Sukanya, S/o Sri Penakalapati Subramanyam, Dt:27.03.2023.

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O R D E R:

In the reference first read above, the Collector and District Magistrate, Ananthapuramu District, has passed detention order against Sri Penakalapati Subramanyam @ Mani @ Penakalapati Subramanyam, Aged 26 years, S/o Penakalapati Suryanarayana (Late), C/o Mupparapa Gangamma, R/o D.No.1-143, P.Siddarampuram Village, Atmakur Mandal, Ananthapuramu District, Andhra Pradesh State, under section 3 (1) & (2) read with Section 2(g) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986). After following due procedure, Government had approved and confirmed the detention order in the reference 2nd and 3rd read above.

2. In the reference 3rd read above, Kum. P. Sukanya, S/o Sri Penakalapati Subramanyam, had made a representation to the Government and requested to issue orders for release of her brother duly cancelling the order of detention of the Collector.

3. Government have examined the representation of Kum. P. Sukanya, S/o Sri Penakalapati Subramanyam, and the material available in the record and under the provisions of the APPD Act, 1986. It is observed that four (04) cases have been registered against him and he is habitually committed dangerous offences like Goonda activities in violation of laws comes under the category of 'Goonda' as defined u/s 2(g) of APPD Act, 1986. He became a source of potential danger to the public, as his activities are prejudicial to the maintenance of public order and therefore to prevent him from further indulging in such activities, and also having satisfied that there is a valid and prima facie case against the individual. He is acting as prejudicial to the maintenance of the Public order. Four (04) cases registered against the detenue. All the cases registered against him are punishable offences under which are registered under various provisions U/Sec 498, 323, 506, 509 r/w 34 IPC and Section 4 of Dowry Prohibition Act, 1961, 328, 353, 364, 302, 120B of IPC r/w 34 IPC. The details shows that he is a habitual offender. He is a criminal indulging in violent and unlawful activities, having no respect towards Law and Justice and continued his criminal activities and there will be no change in his attitude even though number of cases registered against him. The said offences are punishable under Chapter XVI Chapter XVII or Chapter XXII of IPC. As such the activities of the individual falls under and within the meaning of "Goonda" as defined under section 2(g) of Act 1 of 1986.

(P.T.O.)

4. The Act 1/1986 provides power to preventive detention of an individual to contain his activities which are prejudicial to the maintenance of public order under the following circumstances: (a) "acting in any manner prejudicial to the maintenance of public order" means when a boot-legger, a dacoit, a drug offender, a goonda, an immoral traffic offender, or a land-grabber is engaged or is making preparations for engaging in any of his activities as such, which affect adversely or are likely to affect adversely, the maintenance of public order. For the purpose of this clause public order shall be deemed to have been affected adversely, or shall be deemed likely to be affected adversely inter alia, if any of the activities of any of the persons referred to in this clause directly, or indirectly, is causing or calculated to cause any harm, danger or alarm or a feeling of insecurity among the general public or any section thereof or a grave or widespread danger to life or public health. Further, no one has attended and expressed their views before the Advisory Board on Preventive Detentions.

5. Government therefore, and after careful examination of the matter hereby dispose the representation of the petitioner, Kum. P. Sukanya, Sister of Sri Penakalapati Subramanyam as rejected.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

DR.K.S.JAWAHAR REDDY
CHIEF SECRETARY TO GOVERNMENT

To

Kum. P. Sukanya, Sister of Sri Penakalapati Subramanyam, C/o Mupparapa Gangamma, R/o 1-143, P.Sidda Ramapuram, Atmakur, Anathapuramu City, Anathapuramu District.

The Collector and District Magistrate, Anathapuramu District.

Copy to:

The Superintendent of Police, Anathapuramu District.

The Spl. Govt. Pleader, attached to Learned Advocate General, A.P High court, High Court buildings, Nelapadu, Guntur Dist, A.P.

SF/SC.

//FORWARDED:: BY ORDER//

SECTION OFFICER (SC)